

## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

DATE: 10 JUL 1991

SUBJECT: Removal at Bayonne Barrel and Drum Co., Newark, Essex County, NJ

FROM:  George C. Meyer, Chief  
Hazardous Waste Compliance Branch (2AWM-HWC)TO: George Zachos, Chief  
Removal Action Branch (2ERRD-RA)

Reference is made to Joel Golumbek's (2AWM-HWC) recent coordination with John Witkowski (2ERRD-RA), concerning the status of Bayonne Barrel and Drum Co.

The Bayonne Barrel and Drum Co., Newark, NJ is a Resource Conservation and Recovery Act (RCRA) interim status Treatment, Storage, and Disposal facility (TSDF) which was the subject of a Region II RCRA Consent Agreement/Consent Order (CA/CO) in 1984. The CA/CO required specific site remediation activities and closure. A number of sampling inspections verified that the facility was contaminated with hazardous waste and polychlorinated biphenyls (PCB).

Subsequently, it was determined that the company was not complying with the CA/CO and a civil suit was brought against the company in 1986. The company submitted a site closure plan to EPA in 1988 which was found to be significantly deficient. Adjudication of a civil suit ruled in favor of EPA, but the company again did not comply with the court's order to comply with the CA/CO.

As of this date, the owner of the property has died and the only value to the estate is the property itself. As a result, the RCRA program has no owner/operator who could serve as the source of funds for the remediation activities and closure required in the CA/CO and by the court.

Therefore, we are requesting that removal of the remaining hazardous waste and PCBs on the site be done by your branch under CERCLA authority.

If you have any questions, please contact Richard Krauser, of my staff, at x-6154.

